

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6017-CIV-DIMITROULEAS/SELTZER

CHERL SEARS, )  
)  
Plaintiff, )  
)  
v. )  
)  
THE SCHOOL BOARD OF BROWARD )  
COUNTY, FLORIDA, )  
)  
Defendant. )  
\_\_\_\_\_)

00 DEC 28 3 11 PM '00  
CLERK OF COURT  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

DEFENDANT'S UNOPPOSED MOTION FOR EXTENSION OF TIME  
TO RESPOND TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT  
AND MEMORANDUM OF LAW

Defendant, the SCHOOL BOARD OF BROWARD COUNTY, FLORIDA (School Board), through its counsel. Muller, Mintz, Kornreich, Caldwell, Casey, Crosland & Bramnick, P.A., respectfully requests an enlargement of time through and including January 12, 2001, within which to file its response to Plaintiff's Motion for Summary Judgment and Memorandum of Law. As grounds for this motion, Defendant states as follows:

1. This is an employment-related case in which Plaintiff has attempted to assert claims against the Defendant under the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, and the Due Process Clauses of the Fourteenth Amendment to the United States Constitution and Article I, Section 9 of the Florida Constitution. The trial in this matter is currently set for the two-week calendar period commencing Monday, February 26, 2001.

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2. By Order dated December 7, 2000, this Court instructed the parties to file all dispositive motions on or before December 22, 2000. Accordingly, on December 21, 2000, Defendant filed its Motion for Summary Judgment and Memorandum of Law in support thereof.

3. Plaintiff filed her Motion for Summary Judgment and supporting Memorandum of Law on or about December 15, 2000. Under the Federal Rules of Civil Procedure, Defendant's response to Plaintiff's Motion for Summary Judgment is currently due to be filed with this Court on or before January 3, 2001.

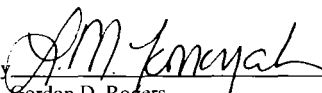
4. Due to the holidays and related scheduling matters, an extension of time is necessary in order for the Defendant to properly respond to Plaintiff's Motion for Summary Judgment. Accordingly, Defendant requests an extension of time through and including January 12, 2001.

5. This extension is requested in good faith and not for the purpose of delay.

6. Leslie Miller Tomczak, Esquire, co-counsel for Defendant certifies to this Court that she personally contacted Plaintiff's counsel, Mark J. Berkowitz, Esquire, by telephone on December 26, 2000, and was authorized to represent to this Court that Plaintiff has no objection to the extension of time requested herein.

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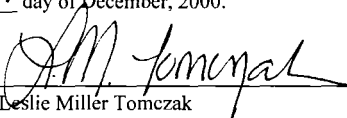
MULLER, MINTZ, KORNREICH, CALDWELL,  
CASEY, CROSLAND & BRAMNICK, P.A.

By 

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this document has been furnished to Mark J. Berkowitz, Esquire, Mark J. Berkowitz, P.A., Counsel for Plaintiff, Suite 200N, 524 South Andrews Avenue, Fort Lauderdale, Florida 33301, by mail, this 27 day of December, 2000.

  
\_\_\_\_\_  
Leslie Miller Tomczak

**COURT:**

Honorable Clarence Maddox  
Administrator/Clerk of Court  
United States District Court  
Southern District of Florida  
299 East Broward Boulevard, Suite 201  
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JUDGE WILLIAM P. DIMITROULEAS

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